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LONG-TERM DISABILITY INSURANCE PLAN and  
7 Real Party in Interest STANDARD INSURANCE  
COMPANY  
8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11

12 **PATRICIA BROYLES,**

13 **Plaintiff,**

14 **v.**

15 **A.U.L. CORPORATION LONG-TERM  
DISABILITY INSURANCE PLAN,**

16 **Defendant,**  
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19 **STANDARD INSURANCE COMPANY,**

20 **Real Party in Interest.**  
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No. C-07-5305-MMC

**DECLARATION OF GEORGE CHAN  
IN OPPOSITION TO PLAINTIFF'S  
MOTION FOR DE NOVO REVIEW**

Date: August 1, 2008

Time: 9:00 a.m.

Before the Honorable Maxine M. Chesney

1 I, GEORGE CHAN, hereby declare as follows:

2 1. I am a Senior Disability Benefits Analyst at Standard Insurance Company  
3 ("Standard"). I submit this declaration in opposition to Plaintiff's Motion for De Novo Review  
4 ("Motion"). Except as expressly stated herein, I have personal knowledge of the matters stated in  
5 this declaration and could and would testify competently to them.

6 2. In the regular course of my duties at Standard, I was assigned to administer the  
7 claim for Long Term Disability ("LTD") benefits made by Patricia Broyles.

8 3. For each claim for benefits pursuant to an insurance policy issued by Standard,  
9 Standard's analysts collect and generate an administrative record (also referred to as a claim file)  
10 documenting the decision-making on the claim. These administrative records are generated and  
11 maintained in the ordinary course of Standard's business of administering claims for benefits. In  
12 the course of administering Ms. Broyles' claim, I became familiar with the administrative record  
13 that Standard generated and maintained, and have personally reviewed its contents, as well as  
14 applicable policy, which is Group Long Term Disability Insurance Policy No. 638213-T ("Plan  
15 Policy").

16 4. I am informed and believe that David Waldram, M.D. is not an employee of  
17 Standard, rather, he works as a consultant on a periodic basis.

18 5. The Administrative Review Unit ("ARU") is separate department at Standard from  
19 the benefits department, and the ARU has different analysts and supervisors. The ARU analyst  
20 assigned to Patricia Broyles' claim, Mary Cea, had no part in the original claim decision or the  
21 administration of Ms. Broyles' claim prior to the independent review.

22 6. I am informed and believe that Joseph J. Mandiberg, M.D., is not an employee of  
23 Standard rather, he works as a consultant on a periodic basis.

24 7. The administrative record generated and maintained by Standard regarding the  
25 claim of Patricia Broyles is 462 pages in length. Medical records, including the pharmacy records  
26 bearing the bates numbers 212-214, are maintained together in the administrative record. This  
27 section of the administrative record is provided to physician consultants who are consulted on a  
28 claim.

1           8.       As a senior disability benefit analyst, I am evaluated on the accuracy and  
2       timeliness of my decisions and my communications with claimants, not whether a claim is  
3       approved or denied. Moreover, I have no role in making strategic decisions impacting Standard's  
4       business – I only administer claims. No portion of my compensation is tied to or in any way  
5       affected by the number of claims that I approve or deny or the substance of any decision that I  
6       make. I am informed and believe that the statements in this paragraph are true of all disability  
7       benefits analysts and ARU analysts at Standard.

8           I declare under penalty of perjury under the laws of the United States of America that the  
9       foregoing Declaration is true and correct, and that this Declaration was executed on July 10, 2008  
10      in Portland, Oregon.

  
George Chan